

# Notice of Allowability

Application No.

09/926,795

Examiner

Cam N Nguyen

Applicant(s)

OHNO ET AL.

Art Unit

1754

PA

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment/response filed on September 24, 2004.
2. ☒ The allowed claim(s) is/are 19-36 (which have been renumbered 1-18).
3. ☒ The drawings filed on originally filed are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 9/24/04 + 11/17/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 12/10/04
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

*Cam N. Nguyen*  
CAM N. NGUYEN  
PRIMARY EXAMINER  
12/10/04

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with attorney/agent *Heribert Muensterer* **Bruce H. Bernstein** on **December 10, 2004**.

2. The application has been amended as follows:

#### In the Claims

Claims 8-13 & 15-18 have been canceled.

#### *Reasons for Allowance*

3. The following is an examiner's statement of reasons for allowance:

As concern with claims 19-28, the prior art does not disclose or fairly suggest a catalyst carrier which comprises particles of a silicon-containing ceramic material and each of these particles is covered by a film of alumina and requiring that the film of alumina having a specific surface area, a structure comprising fibers having the diameter, length, and ratio of length/diameter as recited in claim 1.

As concern with claims 29-36, the prior art does not disclose or fairly suggest a catalyst carrier which comprises particles of a silicon-containing ceramic material and each of these particles is covered by a film of alumina and requiring that the silicon-

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containing ceramic material comprises a layer of SiO<sub>2</sub> on a surface thereof, an amount of SiO<sub>2</sub> in the carrier being from 0.001% to 20% by weight as recited in claim 29.

Applicants' arguments are found persuasive and that there is no motivation to combine the teachings of the references together.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. Claims 1-18 were originally pending in the application. Claims 1-7 & 14 have been canceled. Claims 8-13 & 15-18 were previously withdrawn due to nonelected invention(s) and have now been canceled. New claims 19-36 have been added. Claims 19-36 are now pending in the application and being allowed.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Cam Nguyen, whose telephone number is (571) 272-1357. The examiner can normally be reached on M-F from 9:30 am. to 6:00 pm.

The appropriate fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to telephone number (571) 272-1700.

Nguyen/cnn *cnn*

December 10, 2004

*Cain N. Nguyen*  
CAIN N. NGUYEN  
PRIMARY EXAMINER

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